

ORIGINAL

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MAMMOET SALVAGE B.V.,

Plaintiff,

vs.

OCEAN SERVICES L.L.C.,

Defendant.

:
:
: Index No.: 08 CIV 1838
:
: **AFFIRMATION OF THOMAS E.**
: **WILLOUGHBY PURSUANT**
: **TO ADMIRALTY & MARITIME**
: **RULE B**
:
:
:
:

I, Thomas E. Willoughby, hereby affirm as follows:

1. I am a Senior Partner in the law firm of Hill Rivkins & Hayden LLP, attorneys for Plaintiff herein and am admitted to practice before this Honorable Court.

2. This Affirmation is submitted pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.

3. Based upon the results of my investigation as set forth herein, I am firmly convinced that the Defendant, Ocean Services L.L.C. (hereinafter "OSLLC"), is a corporation or other business entity which cannot be "found" within this District for the purpose of an attachment under Rule B.

4. I contacted the office of the New York Department of State, Division of Corporations on February 1, 2007, via the official Department of State website at <http://www.dos.state.ny.us> and conducted a search for corporations named "Ocean Services L.L.C.". The search result indicated that there is a Delaware corporation in Brooklyn, New York which has an agent for service of process, one Michael J. Ross. A copy of the "Entity Information" of the New York State Division of Corporation for this company is appended hereto as Exhibit 1. I spoke to Mr. Ross, the General Manager of this company by telephone on February 19, 2008 and Mr. Ross assured me that his company, despite the identical name, has no connection to the Defendant. I confirmed that by letter to Mr. Ross and I have also taken other steps to ensure that funds of the Brooklyn company are not attached by mistake.

5. I consulted with Directory Assistance for New York on February 19, 2008 for telephone listings in New York State and found no listing for OSLLC, other than the above Brooklyn company.

6. I reviewed the Transportation Telephone Tickler business directory, 2007 Edition (Vol. 1, New York Metropolitan Area), published by the Journal of Commerce, and no listing was found for OSLLC.

7. I also researched the Stabbert Maritime website into which OSLLC information has been incorporated since OSLLC is affiliated with Stabbert and could discover no connection to New York State.

8. Based upon the foregoing, it is respectfully submitted that Defendant OSLLC cannot be "found" within this District within the meaning of Rule B, thus, justifying issuance of an order of attachment against the assets of Defendant OSLLC as may be found within this District up to and including the amount of the claim specified in the Verified Complaint.

I hereby affirm under the penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
February 22, 2008

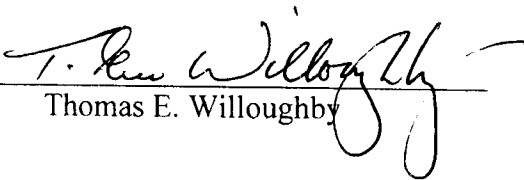

Thomas E. Willoughby

Exhibit 1

NYS Department of State

Division of Corporations

Entity Information

Selected Entity Name: OCEAN SERVICES, LLC

Selected Entity Status Information

Current Entity Name: OCEAN SERVICES, LLC

Initial DOS Filing Date: OCTOBER 18, 1996

County: KINGS

Jurisdiction: DELAWARE

Entity Type: FOREIGN LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

C/O MICHAEL J ROSS

4701 2ND AVENUE

BROOKLYN, NEW YORK, 11232

Registered Agent

MICHAEL J ROSS

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BROOKLYN, NEW YORK, 11232

NOTE: New York State does not issue organizational identification numbers.

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